

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Birk et al.

)

Group Art Unit: 3763

)

5 Application No.: 10/562,964

)

Examiner: Manuel A. Mendez

)

Filing Date: December 30, 2005

)

Confirmation No.: 4253

)

For: IMPLANTABLE DEVICE FASTENING

)

10 SYSTEM AND METHODS OF USE

)

Customer No.: 51957

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

15 Alexandria, VA 23213-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

20 Attached is a PTO/SB/08a form listing certain reference in accordance with the duty of disclosure under 37 C.F.R. §1.97. A copy of any non-U.S. patent publication is attached.

By submitting this Information Disclosure Statement, Applicants make no admission that any item listed thereon is material to the patentability of the invention claimed in the above-reference application. Further, Applicants make no assertion that a search was conducted, or if
 25 conducted, that any search was thorough.

This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits, and thus pursuant to 37 C.F.R. §1.97(b)(3) no fee is believed due.

Respectfully submitted,

30 Date: May 19, 2009

/Guy Cumberbatch, Reg. No. 36,114/

Guy Cumberbatch, Reg. No. 36,114

(805) 201-3006

c/o Stephen Donovan

35 Registration number 33,433

Allergan, Inc.

2525 Dupont Drive

Irvine, California 92612

Telephone: 714 246 4026

40 Fax: 714 246 4249